

EXHIBIT

A

Supreme Court of Pennsylvania

Court of Common Pleas
Civil Cover Sheet

Fayette County

For Prothonotary Use Only:

Docket No:

14058202261

The information collected on this form is used solely for court administration purposes. This form does not supplement or replace the filing and service of pleadings or other papers as required by law or rules of court.

Commencement of Action:

- Complaint Writ of Summons
 Transfer from Another Jurisdiction Petition
 Declaration of Taking

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Lead Plaintiff's Name:

KAREEM M. MAZYCK

Lead Defendant's Name:

George M. Little

Are money damages requested? Yes NoDollar Amount Requested: within arbitration limits
(check one) outside arbitration limitsIs this a *Class Action Suit*? Yes NoIs this an *MDJ Appeal*? Yes No

A

Name of Plaintiff/Appellant's Attorney:

 Check here if you have no attorney (are a Self-Represented [Pro Se] Litigant)

Nature of the Case: Place an "X" to the left of the ONE case category that most accurately describes your **PRIMARY CASE**. If you are making more than one type of claim, check the one that you consider most important.

TORT (do not include Mass Tort)

- Intentional
 Malicious Prosecution
 Motor Vehicle
 Nuisance
 Premises Liability
 Product Liability (does not include mass tort)
 Slander/Libel/ Defamation
 Other:

RLUIPA, Negligence
Tort § 1983S
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MASS TORT

- Asbestos
 Tobacco
 Toxic Tort - DES
 Toxic Tort - Implant
 Toxic Waste
 Other:

B

PROFESSIONAL LIABILITY

- Dental
 Legal
 Medical
 Other Professional:

CONTRACT (do not include Judgments)

- Buyer Plaintiff
 Debt Collection: Credit Card
 Debt Collection: Other

 Employment Dispute:
Discrimination Employment Dispute: Other Other:

CIVIL APPEALS

- Administrative Agencies
 Board of Assessment
 Board of Elections
 Dept. of Transportation
 Statutory Appeal: Other

 Zoning Board Other:

REAL PROPERTY

- Ejectment
 Eminent Domain/Condemnation
 Ground Rent
 Landlord/Tenant Dispute
 Mortgage Foreclosure: Residential
 Mortgage Foreclosure: Commercial
 Partition
 Quiet Title
 Other:

TRUE AND ATTESTED

Wm Caluzzi, Prothonotary

MISCELLANEOUS

- Common Law/Statutory Arbitration
 Declaratory Judgment
 Mandamus
 Non-Domestic Relations
 Restraining Order
 Quo Warranto
 Replevin
 Other:

2022 JUL 25
FAYETTE COUNTY PROTHONOTARY

FILED

In the court of common pleas of Fayette County Pennsylvania civil action
Kareem Mazyck Plaintiff, | Case No. _____
vs.
George M. Little
Col. Neil Defendants.

Notice to defend

You have been sued in court. If you wish to defend against the claims set forth in the following page's, you must take action within twenty (20) days after this complaint and notice are served by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or property or other rights important to you.

You should take this paper to your lawyer at once. If you do not have a lawyer, go to or telephone the office set forth below. This office can provide you with information about hiring a lawyer.

If you cannot afford to hire a lawyer, this office may be able to provide you with information about agencies that may offer legal services to eligible persons at a reduced fee or no fee.

Pennsylvania lawyer referral service

Pennsylvania bar association

100 South Street P.O. Box 186

Harrisburg, P.A. 17108

(1-800-692-7375)

Kareem M. Mazyck) IN THE COURT OF COMMON
Plaintiff) PLEAS OF FAYETTE COUNTY,
V.) PENNSYLVANIA
George M. Little, Secretary;)
C/O # Neil) C.A. No. _____
Defendants)
) (Compulsory Arbitration Hearing)
)

COMPLAINT- RELIGIOUS LAND USE INSTITUTIONALIZE
PERSONS ACT- NEGLIGENCE

I. Jurisdiction & Venue

1. This Court has jurisdiction and venue under 42 Pa. C.S. § 931(A) 42 Pa. C.S. §§ 521-8526, Pa.R.Civ.P. 1006(a)(1), 37 Part II, § III, 4(c) and 42 U.S.C. § 2000bb-2(4), 42 U.S.C. § 1983

II. Parties

2. Kareem M. Mazyck # NW-3714 is a prisoner confined under the Care, Custody and Control of the Pennsylvania Department of Corrections (Hereinafter, "DOC") at State Correctional Institution (Hereinafter, "SCI") and can be located @ 50 Overlook Drive Lavelle, PA 15450

3. Defendant George M. Little at all times relevant to the complaint was/is the Secretary of the DOC and is responsible for the creation of Policies, Procedures, Regulations, Rules and Care, Custody as well as control within the DOC and he can be located @ 1920 Technology Parkway, Mechanicsburg, PA 17050.

4. Defendant Neil is a Correctional Officer one at all relevant times to the Complaint and is responsible for the care, custody and control of Inmates at SCI-Fayette's STGMU and can be located at 50 Overlook Drive, Labelle PA 15450.

III. STATEMENT OF FACTS

5. On May 19, 1998 Plaintiff took his Shahada i.e. (a attestation that there is no God but ALLAH and Muhammad is his Prophet) this public profession was made in Fishkill, New York at Down State Correctional Facility.

6. Plaintiff Sincerely believes as a muslim in Islam and satisfies the Five (5) pillars besides hajj due to his incarceration.

7. Plaintiff explained his religious beliefs to Defendant Neil on June 18, 2022 after signing up for shower on L-Block A pod of the STGMU about a Muslim male covering himself from his navel to his knee cap the boundaries of the awrah.

8. Defendant Neil said: "this is the gang unit not the Middle East so you either come out in your boxers with your towel around your shoulders or you're burnt!"

9. Defendant Neil then came to Plaintiff's cell conducted the strip search and Plaintiff pleaded with him that there's a homosexual male on the pod in which he asked: "Who?" whereas Plaintiff responded "I don't want to start anything by putting the person name out." and Defendant Neil said: "Don't worry he's sure the guy seen other men before and if you don't cuff up now you're not getting a shower." Plaintiff asked: "Why does transgender inmates get to wear a T-shirt?" Defendant Neil said: "Cause they have a right to, if you want to wear a T-shirt be a transgender... now let's GO!"

10. Plaintiff was so emotionally distressed he asked to see a psychologist, but was told nobody was here to speak with him.

11. Plaintiff Sincerely believes it is impermissible for him to expose his awrah to anyone other than his spouse because Prophet Muhammad said, "[G]uard your awrah from all but your wife."

12. Plaintiff Sincerely believes it is impermissible for him to expose his awrah to another man because Prophet Muhammad said, "[L]et not a man look at another man's awrah or nakedness."

13. Defendant Little, as the official policy maker, has implemented policy and procedures state wide, requiring all inmates to be searched and stripped naked before going to the shower.

in the Level five (5) housing unit. See 6.5.1. Procedures Manual, Administrative of Security Level 5 Housing units Section 1.

14. Defendant Little's continued categorical ban on Plaintiff's sincere beliefs as a muslim to cover his nakedness substantially burden Plaintiff's religious exercise and violate RLUIPA.
15. Defendant Little policy and procedure serves no legitimate penological interest by forcing Plaintiff to come out of his cell in a pair of underwear i.e. (Boxers) with only a towel around his neck to attend showers. See Exhibit "A"
16. Defendant Little knows that if he allowed Plaintiff and other Muslim inmates to wear a t-shirt to the shower with towel draped from underwear line to cover knees would not require more security i.e. staff or need funding since it is allowed with the DOC's Level five (5) Housing units for transgender inmates.
17. Plaintiff attempted to resolve this matter through the inmate grievance system but received unfavorable responses at each stage to final review.

IV. CLAIMS FOR RELIEF

- 18 Plaintiff repeats and reasserts paragraphs 5-17 as though fully set forth herein.
- 19 The actions of Defendants Little and Neil in substantially burdening his sincere beliefs as a muslim was done against the Plaintiff when he's forced to attend showers in his boxers with just a towel around his neck to act in a way that violates his religious beliefs and forced him to choose between a shower or following his religious beliefs which constituted Prohibiting the Free Exercise of Religion in violation of Article 1, § 3 Pa. Constitution and 1st Amendment U.S. Constitution.
20. The actions of Defendants Little and Neil in substantially burdening Plaintiff's Religious Exercise by imposing the most restrictive way he could attend showers in exposing his nakedness violated 42 U.S.C.A. § 2000cc-1(a) of RLUIPA when other inmates was accommodated with T-shirts to attend showers.
21. The actions of Defendants Little and Neil in not using the same standard of care that a reasonably prudent person would have in allowing Plaintiff to attend the shower was in violation of the States Standards of Negligence.

WHEREFORE, Plaintiff requests that the Court grant the following relief:

A. ISSUE A DECLATORY JUDGMENT Stating that:

1. The Restrictive Denial of Not allowing Plaintiff to Wear his T-shirt to the shower with a towel covering his waist to knees violated his sincere beliefs as a Muslim Under the RLUIPA Laws.

2 Defendants Little and Neil actions in failing to provide Plaintiff access to the shower without exposing his nakedness was in violation of his free Exercise of Religion via Article 1, § 3 Pa. Const. and U.S. Const. 1st Amendment.

3. Defendant Little's 6.5.1. policy and STGMU Inmate Handbook Substantially burdens the sincere religious beliefs of Plaintiff

B. Award Compensatory Damages in the following Amounts:

1. \$10,000.00 jointly and severally against Defendants Little and Neil for knowingly hindering Plaintiff from the free Exercise of his Religion

C. Award Punitive damages in the following Amounts:

1. \$15,000.00 jointly and severally against Defendants Little & Neil

D. Grant any Relief that the Court deems appropriate.

Date: 7/20/2022

IS/Mazyck Kareem
Kareem M. Mazyck
NW-3714
SCI-Fayette
50 Overlook Drive
Labelle, PA 15450

VERIFICATION

I verify that the statements made in this complaint are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 41904, relating to unsworn falsification to the authorities.

Date: 7/20/2022

/s/ mazycx.hatecom

Kaseem mazycx NW3714

(4) SGT Fayette 50 Overlook Drive

LABELLE P.A 15450

There will be no passing of food from one cell to another by anyone. If you refuse your meal, it will be returned to the kitchen. Any attempts to deface meal trays or attempts to pass contraband or correspondence will result in a disciplinary action, possible phase demotion, and collection of restitution for damaged items.

If you use or attempt to use food items or meal delivery items to harm yourself or others, you may be placed on a Behavior Modified Meal. If you throw your food or beverage on the tier, or on staff, a special diet will be ordered and a disciplinary action will be issued. If you refuse to return your regular tray, containers, cups, spoon, or disrupt mealtime procedures, the RHU Commander or Shift Commander may also place you on alternate meal containers. The Facility Manager or designee will determine the amount of meals served to you by this method. In addition, you will receive a disciplinary action in accordance with DC ADM 801.

When finished, the collecting Officer will inspect the trays. If the trays are damaged or defaced, you will incur disciplinary action and you will be responsible for the cost of the tray. Special diets for medical reasons will be coordinated through the Medical Department and STGMU Staff.

SANITATION AND CLEANING: You are responsible for the cleanliness of your assigned cell. Cell cleaning materials will be issued weekly. You must be at your cell door with your light on when the Officer arrives at your cell to receive your cleaning supplies. You must accept a complete cleaning kit, not just one or two tools. The issuing Officer will monitor the cleaning of the cell. When completed, the Officer will make sure all cleaning materials are returned and accounted for. You may not keep disinfectant in your cell. Daily sanitation and security inspections of the unit and each cell will be conducted randomly. If you are moved to another cell, you must clean the cell before leaving.

SEARCHES: All cell searches, security inspections and strip searches will be conducted in accordance with DC-ADM 203.

EXERCISE: Program Phase, hazardous or unhealthy weather conditions, institutional emergencies/lockdowns and security or safety considerations, will determine Frequency and length of exercise period. A list will be taken of every inmate wanting to participate in yard exercise.

YOU must verbally request to be placed on the list. Inmates will be notified five (5) minutes before yard exercise starts. You must be standing at your cell door with jumpsuit, slides, (hat and gloves will be provided in the winter months) in hand, ready for inspection by the Officer. Your cell light must be turned on and you must be ready to be searched and handcuffed when the Officer arrives. Handcuffs will be removed when you are secured in the exercise yard. All inmates will be stripped searched prior to being handcuffed and will be pat searched before and after yard. Yard begins when the first inmate is taken out of his cell, so it is imperative to be ready and be cooperative in order to take full advantage of the time allotted for exercise.

All inmates will be completely clothed when going to yard. You must wear, not carry, all clothing when going to and returning from yard. During the winter season, you will be issued your state issued boots, coat, gloves, and a hat for yard. No personal items are permitted in the yard. Inmates failing to comply with the yard exercise routine will be denied participation for that day. You may wear only one pair of socks, pair of boxer shorts, and one t-shirt out to yard. You may not use your coat as an exercise mat or place it on the ground. No unauthorized group activity or use of the Secure Individual Exercise Units as exercise equipment (i.e. pull-ups on crosspieces, standing on posts, etc.) is permitted.

SHOWERS: Each STGMU inmate will be given the opportunity to shower three (3) days per week on the 2-10 shift. As with exercise, you are required to follow "Mandatory Procedures To Exit Your Cell". You are required to be at your cell door, with the light on, in your under shorts only, in preparation for

the strip-search procedure. You will wear your under shorts to the shower. No exceptions. T-shirts or undershirts are not permitted to be taken or worn to and from the shower. You must wear your towel around your shoulders to and from the shower. You are not permitted to do laundry while in the shower. Failure to follow any part of the mandatory procedures may result in forfeiture of your privilege to shower that day.

SHAVES: On your scheduled shower day, you will receive a mirror, nail clippers, and a razor (if provided or purchased in accordance with Policy). You **must** be at your cell door with your light on when the Officer arrives at your cell to receive these items. When the shaving material is brought to your cell, and picked up after shaving, you must follow the procedures outlined earlier in the Handbook under "Opening the Wicket". You will be given fifteen (15) minutes to shave and use your nail clippers. If you refuse to return your razor, mirror or nail clippers when ordered to do so you will be issued a misconduct in accordance with DC-ADM 801 and placed on appropriate restrictions (DC-709). Old razors will be replaced in accordance with policy. Razors will be supplied to STGMU Phase 5 and Phase 4 inmates. If you are on Phase 3 or Phase 2, you will have to purchase your own razor, unless you are deemed indigent. Individual disposable razors will be marked and assigned to each inmate. They will be stored by the Officers and will not be used by any other inmate. Razors will be used three (3) times and then exchanged for a new one.

HAIRCUTS: Haircuts will be scheduled once every thirty days and monitored by the STGMU Staff. Haircuts will usually take place on Sundays, one pod per week.

MINI LAW LIBRARY: To use the Library, requests are to be completed to the STGMU 6-2 Sergeant who will schedule a date and time. Requests for library usage are picked up every Friday following a unit announcement. Frequency will depend on the demand by the inmates requesting to use it. You may use the Library for up to two (2) hours at a time. You must submit a request to receive additional time if desired. You may not go to the library more than once a day. You will be strip-searched prior to going, and your reference material will be searched prior to going and upon leaving the library. You may only take what you can carry.

MAIL AND INCOMING PUBLICATIONS: Receipt of incoming publications shall be based on your phase. The amount permitted shall be in accordance with the STGMU Privileges and Services Chart. All incoming and outgoing mail will be subject to mail monitoring for any STG related materials. The receipt of any STG related mail may result in phase modification. STG related mail is any mail that demonstrates your continuing involvement or affiliation with a Security Threat Group.

STORED PROPERTY ACCESS: You may access your stored property, for legal material only, once per month at the discretion of the 2-10 Sergeant. This approval must be granted by way of a Request to **2-10 staff**. If you currently have in your cell, the amount of legal material permitted, you must exchange legal material on a one-for-one basis or you will not be permitted to receive any property from your stored property.

SICK CALL: It is your responsibility to fill out a Sick Call request to be placed on the sick call list. A doctor, physician's assistant, and nurse will visit the STGMU as scheduled. If you sign-up for sick call, you will be held in your cell until seen by Medical Staff.